
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

WALTER RAY REDMOND,

Plaintiff,

vs.

**UTAH WORKFORCE COMMISSION et
al.,**

DefendantS.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:07CV928 DAK

This matter is before the court on the Magistrate Judge's Report and Recommendation, recommending that the court dismiss Plaintiff's claims against the Utah Department of Workforce Services ("DWS") because it is immune from suit under the Eleventh Amendment and because it is not a "person" for purposes of 42 U.S.C. § 1983.

Mr. Redmond has objected to the Report and Recommendation, arguing, essentially, that his case should not be dismissed. Mr. Redmond, however, has not addressed the reasons for dismissal set forth in the Report and Recommendation.

The law compels dismissal of Plaintiff's claims against DWS. The action, however, remains pending against the three DWS employees, provided that Mr. Redmond complies with the court's July 20, 2009 Order, which requires Mr. Redmond to provide more information about the three remaining Defendants so that Service of Process may be accomplished.

The court hereby APPROVES AND ADOPTS the Magistrate Judge's Report and

Recommendation in its entirety. Accordingly, Plaintiff's claims against the Utah Department of Workforce Services are DISMISSED.

DATED this 7th day of August, 2009.

BY THE COURT:



DALE A. KIMBALL
United States District Judge